

Kentucky

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State Board of Psychology

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NEW! Richard Applegate, M.A. NEW! Diane Sobel, Ph.D. NEW! Henry Davis, Ph.D.

Citizen-At-Large: Ruth Winter Bauman

Nancy L. Black, Director Division of Occupations and Professions Mark Brengelman, J.D., M.A. Assistant Attorney General Wendy Satterly Board Administrator



MEET THE BOARD CHAIR

Dr. Tracy D. Eells

At it's meeting on January 6, 2003, the Board elected Tracy D. Eells, MBA, Ph.D. as its chair to serve a one-year term. Dr. Eells is an Associate Professor at the University of Louisville in the Department of Psychiatry and Behavioral Sciences, where he has worked for the last ten years. He is actively engaged in providing psychotherapy and psychological assessment to adults. In addition, he trains psychiatry residents and psychology graduate students in psychotherapy. His research is focused on clinical training. He is particularly interested in how psychotherapists learn to understand their patients through the case formulation process, and how this understanding can be used to guide treatment. He recently edited the Handbook of Psychotherapy Case Formulation, published by Guilford. In addition to his clinical practice, teaching, and research at the University of Louisville, Dr. Eells serves as Administrative Director of the Psychiatry Department's primary training site for outpatient psychiatry, and as Acting Assistant Dean for Faculty Affairs within the School of Medicine. His concerns about trends in behavioral health care practice led Dr. Eells to pursue a Master's degree in Business with a specialization in health care administration, which he earned in 2001 at the University of Louisville College of **Business and Public Administration.**

Originally from California, Dr. Eells earned his Ph.D. in clinical psychology from the University of North Carolina in 1989. He spent his intern year at the University of Virginia in Charlottesville. He subsequently returned to California where he worked for three years at the University of California, San Francisco as a post-doc for the John D. and Catherine T. MacArthur Foundation program on Conscious and Unconscious Mental Processes.

Dr. Eells is married to Dr. Bernadette Walker, also a psychologist. They live on a farm in Oldham County where they are raising three children, Elias, age 8, Aidan, age 7, and Lillian, age 2. They share their farm with their 8 cats, 2 dogs, 60 chickens, and the roughly 20 horses that board there. For relaxation, Dr. Eells enjoys driving his tractor.

NEWS FROM ASPPB

Dr. Henry Davis represented the Board at the Annual Meeting of the Association of State and Provincial Psychology Boards held October 16-20, 2002, at Point Clear, Alabama. The theme for the meeting was "Breaking New Ground in Regulating the Profession of Psychology." A major keynote topic was "The Twenty-First Century Psychologist: Prescriptive Authority – To Boldly Go Where No Psychology Board Has Gone Before" with a panel of New Mexico Psychologists discussing their successes and mistakes in getting prescriptive privileges for psychologists in their state. ASPPB provides support to the member state and provincial licensing boards. Other than Kentucky Board members, three local psychologists have been very involved in ASPPB activities. They are Steven DeMers, Ph.D., Kim Jonason, Ph.D., and Charles Morgan, Ph.D.

The Kentucky Board was represented at the February Mid-Winter ASPPB meeting in San Antonio, Texas, by Dr. Pat McGinty and Dr. Tracy Eells.

Dr. Kim Jonason is member of the ASPPB Board and Chair of the ASPPB Mobility Committee – see his article later in this newsletter.

The Association for State and Provincial Psychology Boards (ASPPB) held the 18th Midwinter Meeting on February 21-23, 2003 in San Antonio, Texas. Tracy Eells and PatMcGinty represented the Kentucky Board at the meeting. The focus of the meeting was on Codes of Conduct: APA, Canada Psychological Association and ASPPB and on assessing professional competence. Conference participants discussed APA code changes and looked at revisions to the ASPPB Code. The ASPPB Code of Conduct has been the guide for the Kentucky regulations on code of conduct. While all codes essentially address the basic ethical responsibilities for psychologists, there are some specific differences that were considered. Confidentiality practices, as reflected in all three of the codes, was presented as a critical issue today, particularly with the new HIPPA regulations. Dual relationships continue to be an area in which psychologists must remain vigilant. The codes of conduct continue to stress the responsibility of our profession for monitoring the conduct of our colleagues. While not universally accepted, there is a proposal that psychologists report known misconduct of colleagues to the state boards.

ASPPB continues to grapple with assessing initial and ongoing competence for psychologists. There were representatives from the APA Committee on Accreditation, the ABPP and other regulating bodies present to discuss initial and specialty competencies for the profession of psychology.

Inside this issue

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Board Disciplinary Actions

The following is a summary of disciplinary actions taken against credential holders by the Board since the last Newsletter. This summary is intended for informational purposes only. All information is believed to be accurate; however, complete terms of each disciplinary action are contained in the Board's written records.

Michael G. Borack, Psy.D. 2/21/2002 Settlement Agreement

The Board alleged and Dr. Borack agreed that Dr. Borack, a Kentucky licensed psychologist, rendered a formal professional opinion about a person in a Kenton County Kentucky court case without direct and substantial contact with or a formal assessment of that person. The Board alleged and Dr. Borack denied practicing psychology in Kentucky without a license when serving as a consultant and an expert witness in a Kenton County Kentucky court case prior to being issued a Kentucky license The Board and Dr. Borack agreed: 1) to have his license to practice psychology in the Commonwealth placed on probation for one (1) year beginning from this date of entry of the Settlement Agreement with weekly supervision of his entire practice for a period of one (1) year; and 2) to pay the amount of \$1,600.00 for investigative and mediation costs of the Board.

E. Paul Evensen, Ph.D. 1/7/2002 Settlement Agreement

The Board alleged and Dr. Evensen agreed that Dr. Evensen, a Kentucky licensed psychologist, acted negligently or incompetently in the practice of psychology by failing to keep sufficient psychological records on a patient by failing to create and maintain progress notes for a therapy patient. The Board and Dr. Evensen agreed: 1) to have his license to practice psychology in the Commonwealth placed on probation for six (6) months beginning from the date of entry of the Settlement Agreement with weekly supervision of his entire practice for a period of six (6) months; and 2) to pay the amount of \$1,080.00 for investigative costs of the Board.

William Lynne, M.S. 1/6/2003 Settlement Agreement

The Board alleged and Mr. Lynee agreed that Mr. Lynne, a Kentucky licensed psychologist with autonomous functioning, violated KRS 319.005 from 1998 to 2002, by practicing psychology without a proper credential from the Board after the credential was canceled in 1998 for non-renewal, per KRS 319.071(1). The Board and Mr. Lynne agreed: 1) to have his license to practice psychology in the Commonwealth suspended and then_placed on probation for one (1) year beginning from this date of entry of the Settlement Agreement with weekly supervision of his entire practice for a period of one (1) year; and 2) to file a renewal application with the Board and pay the last two (2) renewal fees at a cost of \$900.00 and the oral exam fee of \$100.00; 3) pay a penalty fee of \$100.00 for each year past the 1998 renewal year for a total of \$400.00; and successfully take and pass the oral examination of the Board in order to renew the credential.

Todd F. Walker, Psy.D. 6/3/2002 Settlement Agreement

The Board alleged and Dr. Walker denied that Dr. Walker undertook or continued a professional relationship with a client when the objectivity or competency of the credential holder is impaired. The Board further alleged and Dr. Walker denied violating KRS 319.082 (1)(f) and 201 KAR 26:145 Section 3(5) by rendering a formal professional opinion about a person, a minor child, in circuit court action without direct and substantial contact with or formal assessment of the minor child. The Board and Dr. Walker agreed: 1) to have his license to practice psychology in the Commonwealth placed on probation for one (1) year beginning from this date of entry of the Settlement Agreement with every other week supervision of his entire practice for a period of one (1) year; and 2) to pay the amount of \$1,950.00 for investigative costs of the Board.

Harvey Lewis Walton, III, Ph.D. 6/3/2002 Settlement Agreement (Disciplinary Actions Cont.)

The Board alleged and Dr. Walton, a Kentucky licensed psychologist, denied engaging in threatening behavior, actions, gestures against his former employer. The Board alleged and Dr. Walton denied showing an inability to practice psychology with reasonable safety to patients or clients by reason of illness, misuse of drugs, narcotics, alcohol, chemicals, or any other substance, or as a result of any mental or physical condition. The Board alleged and Dr. Walton admitted failing to provide adequate supervision of a licensed psychological associate. The Board alleged and Dr. Walton denied engaging in impaired objectivity and dual relationship by having patients to his home for social purposes. The Board alleged and Dr. Walton denied failing to creating and maintain patient psychological clinical records as mandated by regulation of the Board. The Board alleged and Dr. Walton denied misrepresenting directly or by implication his professional qualification as physician when he in fact is a licensed psychologist. The Board alleged and Dr. Walton denied using terroristic threatening of the spouse of a former patient. The Board alleged and Dr. Walton denied negligently handling a mental inquest warrant by failing to obtain an appropriate judicial signature and by failing to obtain a judicial signature and failing to obtain a judicial signature and failing to obtain a judicial order of a 72 hour evaluation. The Board and Dr. Walton agreed: 1) to have Dr. Walton's license to practice psychology in the Commonwealth of Kentucky voluntarily surrendered as if revoked as of January 6, 2003, and that Dr. Walton applies for reinstatement at any time under the terms of KRS 319.082(4) as determined by the Board; 2) to pay in the amount of \$1,000 for costs to the Board; 3) if Dr. Walton applies for reinstatement, he must file the appropriate renewal application, along with documentation of continuing education hours and must take and pass the oral examination; and 4) If Dr. Walton is reinstated, he shall be placed under supervisio

ONLINE RENEWALS

On-line renewal of credentials now available! By accessing the board's web page (see address on newsletter banner), you can now renew your license online by using a credit card. Just click and follow the instructions. You will be required to list your Continuing Education Courses and upon receipt and approval of copies of your certificates at the Board office, you will be issued a new identification card. There is a convenience fee in addition to the renewal fee for this service -

License renewal for Licensed Psychologist, Licensed Psychological Practitioner, and Autonomous Functioning is \$450 with an online renewal convenience fee of \$5.00 – Renewal for Licensed Psychological Associate and Certification is \$300 with an online renewal convenience fee of \$4.00.

NEW BOARD MEMBERS

Courtney Spear, M.A., Vice Chair

Several Board members have ended their terms of service. Last fall, Joe Willett, Ph.D., ended his most recent term with the Board. We have missed Dr. Willett's knowledge of Board history and his reasoned responses to Board issues. More recently, our past Board Chairman, Bob Illback, Ph.D., ended his term on the Board. Dr. Illback's contribution to the psychology profession cannot be overstated as he guided the Board through the recent revision of the regulations after the revision of KRS 319, which established Licensed Psychological Associates and Licensed Psychological Practitioners. Also recently ending her term was Deloris Floyd, M.A. who worked closely with the complaints and supervision committees throughout her term. Our new members are:

- ? **Henry Davis, Ph.D.,** who, since December of 2001, has been in practice with The Psychology Group, P.L.L.C. His current clinical work is with older adolescents and adults and he does psychological evaluations as well as individual and marital therapy. Dr. Davis has lived in the Hopkinsville area since 1972. He has been very involved with the Kentucky Psychological Association. At the 2002 KPA Convention, he was honored with the Distinguished Psychology Career Award. He joined the Board in October of 2002, replacing Joe Willett.
- ? **Diane Sobel, Ph.D.,** who moved to Kentucky in 1992 to accept a position with the Counseling & Testing Center at UK where she is still practicing. She coordinates the group therapy program at the center, supervises graduate students, and provides workshops on campus "on anything from relationships to grief to diversity." She has been active in KPA, serving as CE Chair, member of the Convention Committee, and Fayette County Representative. She joined the Board in February of 2003, replacing Bob Illback.
- ? **Richard Applegate, M.A.**, who obtained the licensure as Psychological Practitioner in January of 2002, has worked as treatment director at Lincoln Village Youth Development Center, a Department of Juvenile Justice facility, for the past five years. He previously worked in community mental health, as adjunct faculty at Ohio University and I private practice He joined the Board in February of 2003, replacing Deloris Floyd, M.A.

CALENDAR OF EVENTS - STATE BOARD OF PSYCHOLOGY

Monday, June 2, 2003	10:00 a.m.	Regular Board Meeting
Friday, June 13, 2003	8:30 a.m.	Oral Examinations
July 17 – 18, 2003	TBA	Board Retreat
Monday, August 4, 2003	10:00 a.m.	Regular Board Meeting
Friday, September 5, 2003	8:30 a.m.	Oral Examinations
Monday, September 8, 2003	10:00 a.m.	Regular Board Meeting
KPA Meeting - October 22 – 25, 2003	TBA	TBA
Monday, November 3, 2003	10:00 a.m.	Regular Board Meeting
Monday, December 1, 2003	10:00 a.m.	Regular Board Meeting
Friday, December 12, 2003	8:30 a.m.	Oral Examinations

NOTE: The June Oral Examinations are now June 13th, a change from the previously published June 20th date.

All Regular Board Meetings, unless otherwise noted, are held at the Division of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky
All Board meetings are open to the public.

Board Committees for 2003

<u>Complaints</u> Tracy Eells, Chair Jane Brake <u>Supervision</u> Lea Perritt, Chair Henry Davis Richard Applegate

<u>Examinations</u>
Pat McGinty, Chair
Courtney Spear

<u>Credentials</u> Courtney Spear, Chair Diane Sobel Continuing Education
Henry Davis, Chair
Lea Peritt

Information to Know - The Health Insurance Portability and Accountability Act (HIPAA) privacy rule compliance date is April 14, 2003. HIPPA's privacy rule governs how health care providers handle the use or disclosure of protected health information (PHI). Most psychologists are affected by this rule. For more information, excellent information and training are available through KPA and APA. Information on HIPAA and state laws can be accessed at http://www.hhs.gov/ocr/hipaa/. The rule of thumb is that the more stringent law protecting privacy applies.

Jane Brake, Ph.D, member and past Chair of the Board, was honored by KPA with the Schuster Advocacy Award at the 2002 KPA convention.

Board Minutes, Board Opinion and Declaratory Rulings, Credential Verification, Applications and other forms, and other information about the Kentucky Board of Examiners in Psychology is all available on line at http://psycho.state.ky.us The most recent ruling, intended to address 3rd party payors and concerns about legitimacy of temporary credentials, has been posted on the site.

LPP Update: Since the new law passed, 14 have taken the oral exam with 15 now credentialed as Licensed Psychological Practitioners.

EXPIRED LICENSURE/CERTIFICATE REPORT - Listed below are individuals who did not renew their license/certificate and whose grace period has expired. They are no longer authorized to practice psychology in Kentucky.

License Type	License Last	License First	LCity	LState	Expire Dt	Status
LICPSY	ALVAREZ	ARACELLY	CASTLETON	NY	01/19/2002	Terminated
LICPSY	BALLINGER	PAMELA R.	SHELBYVILLE	KY	02/23/2002	Terminated
LICPSY	BENNETT	GARY T.	BLACKSBURG	VA	01/19/2002	Terminated
LICPSY	BUTTERFIELD	GARY L.	DRAKESBORO	KY	06/25/2002	Terminated
CERTAF	CANTRALL	STEVEN W.	ERLANGER	KY	06/12/2002	Terminated
CERTAF	CONLEY	SHARON LYNN	HOPKINSVILLE	KY	05/29/2002	Terminated
LICPSY	CRUISE	ELEANOR E.	JACKSON	MS	01/29/2002	Terminated
LICPSY	DAVISON	MARK ALAN	MANCHESTER	IA	02/01/2002	Terminated
PA	FOX	AMY JO	THELMA	KY	06/01/2002	Terminated
LICPSY	GALLEN	ROBERT TIMOTHY	PITTSBURGH	PA	02/01/2002	Terminated
LICPSY	GORE	ROBERT	SAN FRANCISCO	CA	08/27/2002	Terminated
LICPSY	HAMPTON	KAREN S.	ST. LOUIS	MO	07/26/2002	Terminated
LICPSY	HANGEN	JILL D.	CINCINNATI	ОН	02/15/2002	Terminated
LICPSY	HARTINGS	MICHAEL F.	CINCINNATI	ОН	06/12/2002	Terminated
CERTAF	HENDRICKS	ALLIE	LEXINGTON	KY	06/30/2002	Terminated
PA	HICKS	BETH ANNE	HAMILTON	ОН	04/17/2002	Terminated
CERT	IVEY III	WILLIAM I.	BRISTOL	VA	05/01/2002	Terminated
CERTAF	JOHNSON	DANNY LEE	DAYTONA BEACH	FL	06/30/2002	Terminated
LICPSY	KLEIN	SANDOR	LOUISVILLE	KY	06/30/2002	Terminated
PA	LARSEN	LENE HOLM	LEXINGTON	KY	02/15/2002	Terminated
PA	LICKTEIG II	CHARLES THOMAS	LOUISVILLE	KY	06/01/2002	Terminated
LICPSY	LIEBENAU	KENNETH P.	WICHITA	KS	07/26/2002	Terminated
PA	LINES	TIMOTHY A.	INDIANAPOLIS	IN	02/15/2002	Terminated
LICPSY	LUCAS	RICHARD A.	CINCINNATI	ОН	01/19/2002	Terminated
LICPSY	MACMANN	GREGG MARTIN	GEORGETOWN	KY	02/01/2002	Terminated
PA	MANN	WARRENETTA C.	LOUISVILLE	KY	06/10/2002	Terminated
LICPSY	MOUNTS	STEVE PAUL	HAZARD	KY	02/01/2002	Terminated
LICPSY	MUSSON	ROBERT	IOWA CITY	IA	07/26/2002	Terminated
LICPSY	OVERMAN	PAUL W.	CAROLINA BEACH	NC	05/01/2002	Terminated
LICPSY	PEOPLES	CROCKER	BEREA	KY	07/01/2002	Terminated
LICPSY	PEOPLES	JOAN B.	BEREA	KY	06/15/2002	Terminated
LICPSY	PETERS	MELISSA ROBERTS	LEXINGTON	KY	02/01/2002	Terminated
PA	RAMEY	CHERYL GRIGGS	RICHMOND	KY	10/16/2002	Terminated
LICPSY	RECEVEUR	DONALD W.	DENVER	СО	02/01/2002	Terminated
PA	RHEA	JANICE E.	GLASGOW	KY	01/17/2002	Terminated
LICPSY	SAMSON	ANNE YORK	LEXINGTON	KY	02/01/2002	Terminated
LICPSY	SCHECHTERMAN	ANDREW L.	MIDWAY	KY	06/25/2002	Terminated
PA	SCHMUTTE	TIMOTHY JAMES	LEXINGTON	KY	06/01/2002	Terminated
LICPSY	SHEERER	LAURIE A.	ОМАНА	NE	08/27/2002	Terminated
LICPSY	SMITH	DARRELL	NASHVILLE	TN	06/30/2002	Terminated
LICPSY	TRUMBETTA	SUSAN L.	LOUISVILLE	KY	02/01/2002	Terminated
PA	WRIGHT	KATHY ANN	ATLANTA	GA	09/06/2002	Terminated
LICPSY	ZINS	JOSEPH E.	CINCINNATI	ОН	06/03/2002	Terminated

Professional Mobility for Psychologists is Rapidly Becoming a Reality

Kim R. Jonason, Ph.D., Board of Directors, Mobility Committee Chair, ASPPB

Historically, moving to or practicing in another jurisdiction has been time-consuming and often quite difficult, particularly for psychologists who have been practicing for years and whose supervisors may no longer be available to verify supervised experience.

The Association of State and Provincial Psychology Boards (ASPPB), founded in 1961, offers two programs to facilitate mobility for psychologists licensed in the United States and Canada: the ASPPB Agreement of Reciprocity and the Certificate of Professional Qualification (CPQ). ASPPB is the association of all psychology licensing boards throughout the U.S. and Canada. The ASPPB Agreement of Reciprocity is an agreement among licensing boards to accept each other's licensees based on comparable requirements for licensure. Psychologists who are licensed at the doctoral level in one of the member jurisdictions and who have practiced for five years with no disciplinary action against their license may gain licensure in any of the participating jurisdictions without going through the often arduous licensing applications, procedures and tests. Psychologists seeking licensure through the Reciprocity Agreement may be asked to meet with the Board of the new jurisdiction and they may be asked to complete a test on local jurisprudence laws and procedures. There are currently 10 member jurisdictions in the Reciprocity agreement (listed below), three more have voted to join and are in the process of changing their jurisdictional laws and procedures to make joining possible. While progress is being made in adding jurisdictions to the Agreement, many simply do not qualify for admission because their laws and procedures do not meet qualification standards.

Current Members of the ASPPB Agreement of Reciprocity

Arkansas
 Kentucky
 Mevada
 Menitoba
 Mew Hampshire
 Texas

Jurisdictions in the Process of Joining the Agreement of Reciprocity

1. Nebraska 2. Oregon 3. Wisconsin

An alternative route to licensing reciprocity is the Certificate of Professional Qualification (CPQ). The CPQ is a licensing endorsement credential issued to individual licensed psychologists who meet standards of education, training and experience consistent with those of the Reciprocity Agreement jurisdictions. Twenty-seven states and provinces (listed below) currently accept the CPQ for licensure mobility, Fifteen additional jurisdictions have voted to accept the CPQ and are making changes in their law and rules which would allow them to do so. In endorsement, a jurisdiction agrees to recognize the CPQ as meeting most of the qualifications for licensure. When a psychology board agrees to recognize the CPQ, it has agreed to accept CPQ holders' educational preparation, supervised experience, and examination performance for licensure. The accepting jurisdiction may require a CPQ holder to pass local requirements such as a jurisprudence exam (e.g. local mental health laws), training on abuse reporting or a personal interview.

Jurisdictions Currently Accepting the CPQ

1. Alberta 11. Michigan 20. Ontario 12. Mississippi 21. Pennsylvania 2. Arizona 3. British Columbia 13. Missouri 22. Quebec 4. California 14. Nevada 23. Rhode Island 5. Connecticut 15. New Hampshire 24. Vermont 6. District of Columbia 16. New Mexico 25. Virginia 26. Wisconsin 17. Nova Scotia 7. Idaho 18. Ohio 8. Kentucky 27. Wyoming 9. Louisiana 19. Oklahoma

10. Manitoba

Jurisdictions in the Process of Accepting the CPO

Alaska
 Arkansas
 Georgia
 Hawaii
 Maryland
 Nebraska
 New Brunswick
 Saskatchewan
 South Dakota
 Washington
 West Virginia

The CPQ makes mobility possible for licensed psychologists who meets ASPPB recommended standards even if the state or province where they are licensed does not have standards comparable to those recommended by ASPPB.

A key feature of the CPQ program is its credentials bank that provides a way for psychologists to store evidence of their professional education, supervised experience, prior licensure, and exam performance. Once archived, this information can be accessed and

^{*}Effective July 2003 due to the Mutual Recognition Agreement. This may only apply to Canadian Residents.

submitted to any psychology licensing board, thereby reducing hassles associated with documenting compliance with licensure criteria, particularly long after one's training and initial licensure.

ASPPB is making this credentials bank available to students at a very low yearly cost of \$25.00 that can be applied to the initial cost of the CPQ once they are qualified to apply. During the process of obtaining the doctoral degree, internship and supervised experience, students have easy access to content information regarding program designation, course descriptions, internship and supervisory recommendations. It is hard for many to imagine that such information may be difficult, if not impossible, to obtain as supervisors and faculty move, retire or even expire.

Individuals holding a diplomate from the American Board of Professional Psychology may have some requirements related to supervised experience and oral and written examination performance waived. For details on qualifying for the CPQ, check ASPPB's web site, (http://www.asppb.org) or call 1-800-448-4069.

Practice Alert – Supervision

Lea J. Perritt, Chair

As you assume the responsibility of supervision, it is important that you become very familiar with 201 KAR 26:171. Both the supervisor and supervisee must have prior approval from the Board and this request must be submitted at least 30 days prior of the date the supervisory arrangement will be effective. The supervision must be weekly, and face-to-face unless other arrangements such as interactive video have been approved by the Board. The supervisor needs to remember that he or she is responsible for the supervisee's practice. This includes discussing conflicts of interest, confidentiality, and other issues that may arise. The supervisor must keep a record of each session, noting dates and general focus of the session. The supervisor must have direct observation at least every two months. This can be through audio or video taping as well as co-therapy. If at any time the supervisor has any concerns about the supervisee's competence, he or she needs to discuss this with the supervisee and develop a remedial plan or report to the Board. Always keep in mind that the two of you are partners in this endeavor and you are a mentor to your supervisee. If you ever have any questions, contact Wendy, me, or the Board.

Kentucky State Board of Psychology PO Box 1360 Frankfort KY 40602

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